

1 AN ACT concerning wildlife.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Wildlife Code is amended by changing
5 Section 2.26 as follows:

6 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

7 Sec. 2.26. Deer hunting permits. In this Section, "bona
8 fide equity shareholder" means an individual who (1)
9 purchased, for market price, publicly sold stock shares in a
10 corporation, purchased shares of a privately-held corporation
11 for a value equal to the percentage of the appraised value of
12 the corporate assets represented by the ownership in the
13 corporation, or is a member of a closely-held family-owned
14 corporation and has purchased or been gifted with shares of
15 stock in the corporation accurately reflecting his or her
16 percentage of ownership and (2) intends to retain the
17 ownership of the shares of stock for at least 5 years.

18 In this Section, "bona fide equity member" means an
19 individual who (1) (i) became a member upon the formation of
20 the limited liability company or (ii) has purchased a
21 distributional interest in a limited liability company for a
22 value equal to the percentage of the appraised value of the
23 LLC assets represented by the distributional interest in the
24 LLC and subsequently becomes a member of the company pursuant
25 to Article 30 of the Limited Liability Company Act and who
26 (2) intends to retain the membership for at least 5 years.

27 Any person attempting to take deer shall first obtain a
28 "Deer Hunting Permit" in accordance with prescribed
29 regulations set forth in an Administrative Rule. Deer
30 Hunting Permits shall be issued by the Department. The fee
31 for a Deer Hunting Permit to take deer with either bow and

1 arrow or gun shall not exceed \$15.00 for residents of the
2 State. The Department may by administrative rule provide for
3 non-resident deer hunting permits for which the fee will not
4 exceed \$200 except as provided below for non-resident
5 landowners and non-resident archery hunters. The Department
6 may by administrative rule provide for a non-resident archery
7 deer permit consisting of not more than 2 harvest tags at a
8 total cost not to exceed \$225. Permits shall be issued
9 without charge to:

10 (a) Illinois landowners residing in Illinois who
11 own at least 40 acres of Illinois land and wish to hunt
12 their land only,

13 (b) resident tenants of at least 40 acres of
14 commercial agricultural land where they will hunt, and

15 (c) Bona fide equity shareholders of a corporation
16 or bona fide equity members of a limited liability
17 company which owns at least 40 acres of land in a county
18 in Illinois who wish to hunt on the corporation's or
19 company's land only. One permit shall be issued without
20 charge to one bona fide equity shareholder or one bona
21 fide equity member for each 40 acres of land owned by the
22 corporation or company in a county; however, the number
23 of permits issued without charge to bona fide equity
24 shareholders of any corporation or bona fide equity
25 members of a limited liability company in any county
26 shall not exceed 15.

27 Bona fide landowners or tenants who do not wish to hunt
28 only on the land they own, rent or lease or bona fide equity
29 shareholders or bona fide equity members who do not wish to
30 hunt only on the land owned by the corporation or limited
31 liability company shall be charged the same fee as the
32 applicant who is not a landowner, tenant, bona fide equity
33 shareholder, or bona fide equity member. Nonresidents of
34 Illinois who own at least 40 acres of land and wish to hunt

1 on their land only shall be charged a fee set by
2 administrative rule. The method for obtaining these permits
3 shall be prescribed by administrative rule.

4 The deer hunting permit issued without fee shall be valid
5 on all farm lands which the person to whom it is issued owns,
6 leases or rents, except that in the case of a permit issued
7 to a bona fide equity shareholder or bona fide equity member,
8 the permit shall be valid on all lands owned by the
9 corporation or limited liability company in the county.

10 The standards and specifications for use of guns and bow
11 and arrow for deer hunting shall be established by
12 administrative rule.

13 No person may have in his possession any firearm not
14 authorized by administrative rule for a specific hunting
15 season when taking deer.

16 Persons having a firearm deer hunting permit shall be
17 permitted to take deer only during the period from 1/2 hour
18 before sunrise to sunset, and only during those days for
19 which an open season is established for the taking of deer by
20 use of shotgun or muzzle loading rifle.

21 Persons having an archery deer hunting permit shall be
22 permitted to take deer only during the period from 1/2 hour
23 before sunrise to 1/2 hour after sunset, and only during
24 those days for which an open season is established for the
25 taking of deer by use of bow and arrow.

26 It shall be unlawful for any person to take deer by use
27 of dogs, horses, automobiles, aircraft or other vehicles, or
28 by the use of salt or bait of any kind. An area is
29 considered as baited during the presence of and for 10
30 consecutive days following the removal of bait.

31 It shall be unlawful to possess or transport any wild
32 deer which has been injured or killed in any manner upon a
33 public highway or public right-of-way of this State unless
34 exempted by administrative rule.

1 Persons hunting deer must have gun unloaded and no bow
2 and arrow device shall be carried with the arrow in the
3 nocked position during hours when deer hunting is unlawful.

4 It shall be unlawful for any person, having taken the
5 legal limit of deer by gun, to further participate with gun
6 in any deer hunting party.

7 It shall be unlawful for any person, having taken the
8 legal limit of deer by bow and arrow, to further participate
9 with bow and arrow in any deer hunting party.

10 The Department may prohibit upland game hunting during
11 the gun deer season by administrative rule.

12 The Department shall not limit the number of resident or
13 non-resident archery deer hunting permits.

14 It shall be legal for handicapped persons, as defined in
15 Section 2.33, to utilize a crossbow device, as defined in
16 Department rules, to take deer.

17 Any person who violates any of the provisions of this
18 Section, including administrative rules, shall be guilty of a
19 Class B misdemeanor.

20 (Source: P.A. 92-177, eff. 7-27-01; 92-261, eff. 8-7-01;
21 revised 9-19-01.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.